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C O R R E C T E D C O P Y - GARBELED TEXT PARA 4

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SUBJECT: USG ELECTIONS STRATEGY IN SUDAN

REF: A. KHARTOUM 422

[1](#)B. KHARTOUM 420

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Classified By: CDA Alberto M. Fernandez, for reasons 1.4 (b) and (d)

Summary

[1](#)1. (C) Free and fair elections in Sudan are a top foreign policy objective for the USG, and it is therefore critical early on to define a policy framework and begin planning in earnest now for the 2009 Sudanese elections. Despite the constant demands for our attention from Darfur and the North-South border, there are several reasons that it is critical to define a clear policy on elections now. First, elections will soon collide with Darfur and we must have a clear policy stating that elections should occur nation-wide despite the on-going conflict in Darfur - this will be especially important after the census in Darfur is declared incomplete due to lack of access and participation. Second, the SPLM must know what support it can expect from the USG in order to plan appropriately, and we should inform the SPLM now so that we are not seen to be waffling in our support for the South. Third, the donor community and the UN must be mobilized and we cannot take a leadership role in that process without a clear policy. This is especially important because the UN appears to have no real strategy other than hiring some staff, and is resistant to pressuring the NCP regime on elections. Therefore it falls to the US to take a leadership role in moving the elections process forward in order to ensure that this key CPA milestone is met. The risks of a failed CPA due to greatly delayed or failed elections are too great to ignore. Failed elections in Sudan could ignite violence on a much wider scale than was seen in Kenya's recent elections.

Elections Policy in Darfur

[1](#)2. (C) When the census in Darfur is declared incomplete despite our efforts (reftel), as is widely expected, it is imperative that the US and others in the international community reassure Darfuris - publicly - that they can and should still participate in the elections. Many Darfuris are resistant to participating in either the census or the

elections until the crisis in Darfur is solved. This is a message that IDPs receive regularly from rebel leaders such as Abdulwahid Al-Nur, who want to use the election as a lever to push for resolution of security and compensation issues. (Note: However, other political parties such as Umma have and will continue to push for participation by Darfuris in elections. End note.) This is not the first time that the CPA has collided with the crisis in Darfur, as those who negotiated the North-South agreement amidst fighting in Darfur know well. Many in Darfur believe that the SPLM abandoned them in favor of their own interests, both in Naivasha and at Abuja.

¶3. (C) However, the decades-long war in the South killed ten times as many people as the war in Darfur by most estimates, and the risks to country-wide instability are far greater if the CPA is derailed. Elections are a key milestone in the CPA, and there is a serious risk of instability within the GNU and in the South in particular if the election is greatly delayed or viewed to have been stolen outright by the NCP. This will make many in the South believe that the NCP is likely to take away the referendum as well.

¶4. (S) Paradoxically, non-participation in elections by Darfuris is actually in the interests of the NCP, because most voters in this brutalized region will not vote for the NCP, and the regime knows this. Therefore the USG should be doing everything possible to encourage and develop SLM/Abdulwahid and SLM/Minnawi as political entities, to encourage broad-based alliances of like-minded democrats and to encourage their followers (and followers of other parties) to participate in elections in Darfur. The USG should also encourage the SPLM to ally itself with the SLM and other opposition parties in the north in a broad coalition against the NCP. The NCP is still likely to win, given its coercion and access to resources as the sitting regime, but a result that brings a greater number of opposition members into the government will force the regime to make concessions and codify a certain amount of political space in Sudan for years to come.

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¶5. (C) Although a comprehensive peace agreement in Darfur is highly unlikely before the elections, US policy should be that Darfuris take advantage of every opportunity to participate and not be excluded and further marginalized. Although many in Darfur may reject this view and such statements may make the US temporarily unpopular amongst IDPs, in the long run it is in the interests of Darfur to participate and a significant showing from voters in Darfur could actually serve to change the power dynamic in this grinding conflict and encourage the regime to make greater concessions on Darfur to solve the land rights, tribal favoritism, governance, and public sector investment and services issues that created the conditions for war. Moreover, the SPLM, Umma, and DUP all have followers in Darfur as well, and have an interest in ensuring that they can vote in the election. US policy must make it clear that support for peace in Darfur and for democracy in Sudan as a whole are not incompatible. Emphasizing democratic transformation in Sudan is also not a substitute for an enforceable peace in Darfur including elements such as a ceasefire and return of IDPs and refugees in safety and dignity.

Elections Policy in the South

¶6. (S) Many in the South and in the SPLM would like to avoid elections and move directly to the referendum. We believe this is a mistake and risks undermining not only the CPA but also the internal political dynamic in the South - if the SPLM is viewed by other groups as protecting its own Dinka-dominated leadership at the expense of other groups. The SPLM is looking for a clear signal from the US regarding

elections policy and needs reassurance that the US will support them. If not, for the sake of self-preservation, the SPLM will be tempted to "make a deal with NCP" in hopes of preserving its minimal fallback position on the CPA: the right to vote for independence and secede in peace in 2011. Post believes it is in the interests of the USG to support a broad coalition of parties against the NCP, especially the SPLM and the SLM. The SPLM has already begun refining its options for an elections strategy, and needs to receive clear signals from the USG.

17. (C) The SPLM may yet be tempted by an elections alliance with its CPA partner the NCP. However this would be a mistake, as it would further raise anger in the North (including Darfur) against the SPLM, where it is already viewed by many as having abandoned its democratic principles in favor of a monopolistic hold on power and wealth through the CPA. There is even the possibility that the NCP could use this to raise anger against the SPLM and create support for a re-opening of the CPA following elections. (Note: This is another area which requires clear US policy before, during and after elections - that the CPA should not be opened following elections and that the South's right to a referendum following elections is sacrosanct. Readers in Washington may assume this is a given, but here in Sudan both Sudanese and Western pundits alike speculate on the implications a new post-election coalition would have on the CPA and the referendum. End note.) Depending on how voting occurs, there will likely be a modified ruling coalition formed after the elections, which could include the NCP, the SPLM, some elements of the DUP, the Umma if they run, and the SLM if we can convince them to run.

18. (C) Post believes that it is not helpful to advise the SPLM to run GOSS President Salva Kiir against President Bashir. John Garang would have made an attractive national candidate given his historic profile and campaign for a New Sudan, but given the significant possibility of instability in the South and the need for the SPLM to focus on governance in its own territory, Kiir's continued leadership is required as President of the GOSS. The SPLM should therefore focus its efforts on the South, while developing an effective national strategy of outreach to Arabic-speaking Muslim Northern Sudanese and run a charismatic and respected candidate who straddles both Northern and Southern interests, such as Blue Nile Governor Malik Agar, party leader Yassir Arman (a distant cousin of President Bashir) or former Nuba Commander Abdel Aziz Helou. The SPLM will obviously make its own choices in this regard, but we believe Kiir should not be encouraged to run. Indeed, having him run for President of Sudan, while leaving the GOSS Presidency up for grabs

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(assuming, per the new law, that he will have to choose one or the other) is an almost certain recipe for instability in South Sudan with Kiir's GOSS VP, the corrupt, scheming and widely disliked Riek Machar (except among his own Nuer) unleashed for further mischief.

Pushing the Donors and the UN Forward

19. (C) The UN is grossly unprepared to move forward on elections, with only three employees in the elections office and little more than a theoretical timeline and a plan to hire more staff. There appears to be little or no strategy among the UN and donors as we all wait for the Sudanese to pass the Electoral Law. SRSQ Qazi and his staff appear to have little appetite for elections and even less appetite for applying pressure to the regime, which will be required if elections are to move forward. Therefore the US will need to continue to press the regime on complying with timelines, and speak out at key points in the process to indicate our belief that elections must move forward nationwide in a timely fashion.

¶10. (C) When the census is determined to be incomplete (as is widely anticipated due to lack of preparation and access as reported reftel) that will be an opportune time for the US to state clearly and publicly that the census should be a lesson -- that preparation must begin immediately on the elections so that this key CPA milestone is not missed. We will also need to state clearly our understanding that participation in the census is not required for participation in elections - that voter registration is the key to being able to vote - and that national elections that include Darfur are essential.

¶11. (C) If the SPLM and NCP strike a deal and announce that they want to significantly delay elections (which may happen in the coming months) the US should state clearly that while we respect the wishes of the CPA parties for a well-prepared election, it is imperative that the parties do everything possible to respect the timelines in the CPA, while also ensuring a free and fair election nationwide, and encourage them to minimize delays. This means elections in Sudan no later than fall 2009, after the end of the rainy season in South Sudan. A free and fair election nationwide is essential for both the stability and democratic transformation of Sudan, but a lengthy delay in the election carries its own inherent risks, especially in the South.

US Elections Programming Support

¶12. (C) Although the US now funds several small-scale programs such as IRI and NDI to assist with political party development (SPLM in the South and SLM/Minawi in the North), US policy in Sudan requires a much larger and more robust elections support program that focuses on four tracks: 1) structural support for elections, especially in the South but also in Darfur and the East, 2) direct support to the SPLM, SLM, and other parties for media outreach and party building activities, especially in the North; 3) enhanced support to all political parties in Sudan, and 4) a robust program for monitoring and observation of elections. Despite the Political Parties Act, which bans outright foreign support for Sudanese political parties, the US should proceed with a substantive plan for support of all political parties in Sudan. Post believes this support should be on an "industrial" rather than an "artisanal" scale by working through and generously funding several organizations. The NCP will attempt to prevent access by the organizations identified by the US to carry out political party support, but that should not deter us from doing everything possible to develop opposition parties who have little other means of support.

¶13. (C) International monitoring for elections in Sudan is enshrined in the CPA (unfortunately, international observation was not enshrined in the CPA for the census) and the US should plan a robust monitoring support program to include the Carter Center, which has already formally been invited by the GOS to observe the elections.

Comment

¶14. (C) Although Sudan's elections (envisioned by the CPA to

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occur in July 2009) may seem far off and of a lesser priority than the crisis in Darfur and brewing crises in Abyei and along the North-South border, they are essential to achieving stability in Sudan, and assuring the US administration's legacy in Sudan in brokering the historic Comprehensive Peace Agreement. Defining a clear elections strategy now is needed so that we will have a coherent plan moving forward into the next US administration and as internal planning and horsetrading among political players begins in Sudan for the first (and probably most comprehensive ever in Sudan's history) democratic elections in 23 years.

FERNANDEZ